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May 12, 2006

Mark Bradley
Associate Program Manager
Transportation & Marketing Program
National Organic Program
1400 Independence Ave SW Room 4008
Washington DC 20250

Dear Mark:

These comments on the National Organic Program (NOP) Final Rule Section 205.606 are in response to the notice that you published in the Federal Register on April 27, 2006.

The Organic Foods Production Act of 1990 (OFPA) in section 6517 established the requirement for a National List of approved and prohibited substances that are approved for use in the production and handling operation to produce organic product. Section 6517(b) states that the list will contain approved synthetic substance and prohibited natural substances.

The NOP is proposing to change the present section 205.606 to require that only those nonorganically produced agricultural products listed in the section may be used when the product is not commercially available. This requirement is in violation of the OFPA as these products are considered to be naturally occurring plants under the act. To bring the NOP Final Rule into compliance with the OFPA, section 205.606 should be removed.

Sincerely,

Rod

E. Rod. Crossley